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REMARKS

This response is intended as a full and complete response to the non-final Office Action mailed July 12, 2006. In the Office Action, the Examiner notes that claims 1-15 are pending and rejected. By this response, Applicants have amended claims 1, 5, 10, 12, 14 and 15. No new matter has been added.

In view of both the amendments presented above and the following discussion, Applicants submit that none of the claims now pending in the application are obvious under the provisions of 35 U.S.C. §103.

It is to be understood that Applicants, by amending the claims, do not acquiesce to the Examiner's characterizations of the art of record or to Applicants' subject matter recited in the pending claims. Further, Applicants are not acquiescing to the Examiner's statements as to the applicability of the art of record to the pending claims by filing the instant responsive amendments.

REJECTIONS

35 U.S.C. §103

Claims 1-4, 10 and 11

The Examiner has rejected claims 1-4, 10 and 11 under 35 U.S.C. §103(a) as being unpatentable over Butler et al. (US20020007493A1, hereinafter "Butler") in view of Marshall et al. (US005828420A) and Kanungo (US20030056215A1). Applicants respectfully traverse the rejection.

Independent claims 1 and 10 recite features of Applicants' invention that Applicants consider to be inventive. In particular, independent claim 1 (similarly claim 10) recites:

1. A display generator for a combined display of a web page including a graphics image and a television video image, said graphics image being defined by an HTML syntax, said television video image being derived from a real time television signal, said display generator comprising:

a programmed processor responsive to said HTML syntax for parsing, layout and rendering said graphics image to form a rendered graphics image;

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a graphics memory for storing said rendered graphics image;

a television video receiver responsive to said real time television signal, said television video receiver having an output forming said television video image;

a controller coupled to said program processor and responsive to user inputs comprising:

transparency controls for adjusting a transparency of individual pixels of said rendered graphics image and said television video image; and

picture-in-graphics (PIG) controls for determining the size and position of the real time television signal; and

a video combiner, responsive to the transparency and PIG controls, said graphics memory and said television video receiver, for combining individual pixels of said rendered graphics image stored in said graphics memory with respective individual pixels of said television video image to form respective individual pixels of said combined display of said graphics image and said television video image,

wherein said rendered graphics image and said television video image are from different sources and the combined display is generated in real time,

wherein the television video image is positioned as an overlay of the rendered graphics image, such that scrolling the rendered graphics image does not change the position and size of the television video image. (emphasis added).

The test under 35 U.S.C. §103 is not whether an improvement or a use set forth in a patent would have been obvious or non-obvious; rather the test is whether the claimed invention, considered as a whole, would have been obvious. Jones v. Hardy, 110 USPQ 1021, 1024 (Fed. Cir. 1984) (emphasis added). Moreover, the invention as a whole is not restricted to the specific subject matter claimed, but also embraces its properties and the problem it solves. In re Wright, 6 USPQ 2d 1959, 1961 (Fed. Cir. 1988) (emphasis added).

The present invention includes generating a display by combining a controllable television image on top of a web page background such that when the user moves or scrolls the web page, the television image will stay at the same location on the screen. The television image can be resized as well as

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lightened to allow the information from the web page to be seen through the television program. This process is provided in real time.

Butler associates a hyperlink (i.e., web page) overlay with a video program. To accomplish this task, the video pixels overwrite the bit-mapped pixels where the areas of the display image are a specific color. Because the background of the web page is set to a specific color, the user will be able to view the video program while the hyperlinks appear over the program. As a result, the viewer may click on the link that appears over the video program for more information. This strategy allows the viewer to watch a program which includes hyperlinks or "hot spots."

Butler does not disclose moving or scrolling a web page that is in the background while the TV program remains in the same location on the screen. Specifically, Butler is silent on a "television video image [that] is positioned as an overlay of [a] rendered graphics image, such that scrolling the rendered graphics image does not change the position and size of the television video image."

In addition, regarding the Butler reference, it is not inherent that the pixels of the video and image are combined in order to display the overlay. An overlay can be also displayed by replacing the pixels. Therefore, because combining the pixels is not the only way to display the overlay, it is not inherent to the Butler reference.

Marshall and Kanungo fail to bridge the substantial gap between Butler and Applicants' invention. In particular, Marshall discloses a system for generating an electronic program guide (EPG) to be displayed with a television video image. Marshall teaches changing the weight of the program guide that is superimposed on the television signal. As disclosed in column 3, lines 33-36, Marshall only teaches establishing weights for the program guide signal. Marshall is silent on controlling the transparency of the television signal as claimed. Moreover, Marshall does not teach or suggest moving a web page in the background wherein the television image remains at the same location on the screen. Specifically, an EPG is not a web page. Thus, Marshall fails to teach or suggest Applicants' feature of a, "television video image [that] is positioned as an

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overlay of the rendered graphics image, such that scrolling the rendered graphics image does not change the position and size of the television video_image."

The Kanungo reference does not teach or suggest scrolling a web page that is in the background while the TV program remains in the same location on the screen as claimed. In particular, the Kanungo reference discloses that applets could be used to generate certain areas on the web page and video data can be displayed in video area [0050]. The Kanungo reference fails to disclose or suggest at least Applicants' claimed feature of a "television video image [that] is positioned as an overlay of the rendered graphics image, such that scrolling the rendered graphics image does not change the position and size of the television video image."

Thus, Butler, Marshall and Kanungo, singly or in combination, fail to teach or suggest Applicants' claimed invention as a whole.

As such, Applicants submit that independent claims 1 and 10 are not obvious and fully satisfy the requirements of 35 U.S.C. §103 and are patentable thereunder. Claims 2-4 and 11 depend directly or indirectly from claims 1 and 10 and, as such, these dependent claims are also non-obvious and fully satisfy the requirements of 35 U.S.C. §103. Therefore, Applicants respectfully request that the rejection be withdrawn.

Claims 5, 7, 8 and 12

The Examiner has rejected claims 5, 7, 8 and 12 under 35 U.S.C. §103(a) as being unpatentable over Butler in view of Marshall, Kanungo and Kurita et al. (US005970511A, hereinafter "Kurita"). Applicants respectfully traverse the rejection.

The Butler, Marshall, Kanungo and Kurita references alone or in combination fail to teach or suggest Applicants' invention as a whole.

Independent claim 5, and similarly 12, recites:

5. A display generator for a combined display of a web page including a graphics image and a television video image, said graphics image being defined by an HTML syntax including a television video HTML statement defining a television video HTML

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object, said television video image being derived from a real time television signal, said display generator comprising:

a television video receiver responsive to said real time television signal, said television video receiver having an output forming said television video image;

a programmed processor responsive to said HTML syntax for parsing, layout and rendering said graphics image to form a rendered graphics image,

a graphics memory for storing said rendered graphics image;

a controller coupled to said program processor and responsive to user inputs comprising:

transparency controls for adjusting a transparency of individual pixels of said rendered graphics image and said television video image; and

picture-in-graphics (PIG) controls for determining the size and position of the real time television signal; and

a video combiner, responsive to the transparency and PIG controls, said graphics memory and said television video receiver to combine individual pixels of said rendered graphics image stored in said graphics memory with respective individual pixels of said television video image, said video combiner further responsive to said television video HTML statement to position said television video image in said graphics image to form said combined display,

wherein said rendered graphics image and said television video image are from different sources and the combined display is generated in real time.

wherein the television video image is positioned as an overlay of the rendered graphics image, such that scrolling the rendered graphics image does not change the position and size of the television video image. (emphasis added.)

As stated above, the Butler and Marshall references fail to teach or even suggest a "television video image [that] is positioned as an overlay of the rendered graphics image, such that scrolling the rendered graphics image does not change the position and size of the television video image."

The Kanungo and Kurita references also do not teach or suggest scrolling a web page that is in the background while the TV program remains in the same location on the screen. In particular, the Kanungo reference discloses that

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applets could be used to generate certain areas on the web page and video data can be displayed in video area [0050]. The Kurita reference discloses HTML standard to call or load a video (See FIG. 7 and FIG. 8, B). The Kanungo and Kurita references fail to disclose or suggest at least Applicants' claimed feature of a "television video image [that] is positioned as an overlay of the rendered graphics image, such that scrolling the rendered graphics image does not change the position and size of the television video image."

Therefore, the Butler, Marshall, Kanungo and Kurita references, singly or in combination, fail to teach or suggest Applicants' claimed invention as a whole.

For at least the reasons discussed above, independent claims 5 and 12 are patentable under 35 U.S.C. §103 over Butler in view of Marshall, Kanungo and Kurita. For at least the same reasons, dependent claims 7-8 which depend directly from independent claims 5 are patentable under 35 U.S.C. §103 over Butler in view of Marshall, Kanungo and Kurita. Therefore, Applicants respectfully request that the Examiner's rejection be withdrawn.

Claims 6 and 13

The Examiner has rejected claims 6 and 13 under 35 U.S.C. §103(a) as being unpatentable over Butler in view of Marshall, Kanungo, and Kurita as applied to claims 5, 7, 8 and 12 above, and further in view of "WWW-TV URI/URL/URN Usages." Applicants respectfully traverse the rejection.

Claims 6 and 13 depend directly from independent claims 5 and 12, respectively and recite additional limitations thereof. As such, for at least the reasons discussed above, claims 6 and 13 are patentable under 35 U.S.C. §103 over Butler in view of Marshall, Kanungo and Kurita.

Moreover, the "WWW-TV URI/URL/URN Usages" reference fails to bridge the substantial gap between the Butler, Marshall, Kanungo and Kurita references and Applicants' invention. The "WWW-TV URI/URL/URN reference" discloses a list of ways in which URIs, URLs, URNs can be used in a television context. Nowhere in the "WWW-TV URI/URL/URN Usages" reference is there any teaching or suggestion of Applicants' claimed feature of a "television video image

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[that] is positioned as an overlay of the rendered graphics image, such that scrolling the rendered graphics image does not change the position and size of the television video image."

Thus, the Butler, Marshall, Kanungo, Kurita and "WWW-TV URI/URL/URN Usages" references, singly or in combination, fail to teach or suggest Applicants' claimed invention as a whole.

As such Applicants respectfully submit that independent claims 5 and 12 and claims 6 and 13 which depend directly from independent claims 5 and 12, respectively are patentable under 35 U.S.C. §103 over Butler in view of Marshall, Kanungo, Kurita and the "WWW-TV URI/URL/URN Usages" reference. Therefore, Applicants respectfully request that the Examiner's rejection be withdrawn.

Claim 9

The Examiner has rejected claims 9, 14 and 15 under 35 U.S.C. §103(a) as being unpatentable over Butler in view of Marshall, Kanungo and Kurita as applied to claims 5, 7, 8 and 12 above, and further in view of "WWW-TV URI/URL/URN Usages" and HTML 4.0 Specification (hereinafter "HTML 4.0 Specification"). Applicants respectfully traverse the rejection.

Claim 9 depends directly from independent claim 5 and recites additional limitations thereof. As such, for at least the reasons discussed above, claims 9 is patentable under 35 U.S.C. §103 over Butler in view of Marshall, Kanungo and Kurita.

Moreover, the "WWW-TV URI/URL/URN Usages" reference fails to bridge the substantial gap between the Butler, Marshall, Kanungo and Kurita references and Applicants' invention. The "WWW-TV URI/URL/URN reference" discloses a list of ways in which URIs, URLs, URNs can be used in a television context. Nowhere in the "WWW-TV URI/URL/URN Usages" reference is there any teaching or suggestion of Applicants' claimed feature of a "television video image [that] is positioned as an overlay of the rendered graphics image, such that

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scrolling the rendered graphics image does not change the position and size of the television video image.”

As such Applicants respectfully submit that claim 9, which depend directly from claim 5 is patentable under 35 U.S.C. §103 over Butler in view of Marshall, Kanungo, Kurita and the “WWW-TV URI/URL/URN Usages” reference. Therefore, Applicants respectfully request that the Examiner’s rejection be withdrawn.

Claims 14 and 15

The Examiner has rejected claims 14 and 15 under 35 U.S.C. §103(a) as being unpatentable over Butler in view of Marshall, Kanungo, Kurita, “WWW-TV URI/URL/URN Usages” and HTML 4.0 Specification (hereinafter “HTML 4.0 Specification”). Applicants respectfully traverse the rejection.

The Butler, Marshall, Kanungo and Kurita references alone or in combination fail to teach or suggest Applicants’ invention as a whole.

Independent claim 14 and similarly 15 recite:

14. (currently amended) A method for generating a combined display of a web page including a graphics image in combination with a television video image, said graphics image being defined by an HTML syntax including a television video HTML statement defining a television video HTML object, said television video image being derived from a real time television signal, said method comprising:

receiving said real time television signal to form said television video image;

rendering said HTML syntax to form a rendered graphics image;

adjusting a transparency of individual pixels of said graphics image and video image;

combining, responsive to said television video HTML statement, individual pixels of said television video image with respective individual pixels of said rendered graphics image, to position said television video image in said graphics image and form said combined display, wherein said rendered graphics image and said television video image are from different sources, the television

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video image is positioned as an overlay of the rendered graphics image, such that scrolling the rendered graphics image does not change the position and size of the television video image, and said television video HTML statement is substantially given by

<VIDEO SRC = "Source:Frequency:ChannelNo" HEIGHT="in graphical units" WIDTH="in graphical units" BORDER="in graphical units">, wherein,

SRC specifies the source as the Frequency or Channel Number of said real time television signal,

HEIGHT specifies the height of said television video HTML object to be displayed,

WIDTH specifies the width of said television video HTML object to be displayed and

BORDER specifies the border around said television video HTML object to be displayed. (emphasis added.)

As stated above, the Butler in view of Marshall, Kanungo and Kurita fails to teach or even suggest the feature of a "television video image [that] is positioned as an overlay of the rendered graphics image, such that scrolling the rendered graphics image does not change the position and size of the television video image."

The "WWW-TV URI/URL/URN Usages" and "HTML 4.0 Specification" references also do not teach or suggest scrolling a web page that is in the background while the TV program remains in the same location on the screen. Those references fail to disclose or suggest at least Applicants' claimed feature of a "television video image [that] is positioned as an overlay of the rendered graphics image, such that scrolling the rendered graphics image does not change the position and size of the television video image."

Thus, the Butler, Marshall, Kanungo, Kurita, "WWW-TV URI/URL/URN Usages" and "HTML 4.0 Specification" references, singly or in combination, fail to teach or suggest Applicants' claimed invention as a whole. Therefore, Applicants respectfully request that the Examiner's rejection be withdrawn.

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SECONDARY REFERENCES

The secondary references made of record are noted. However, it is believed that the secondary references are no more pertinent to Applicants' disclosure than the primary references cited in the Office Action. Therefore, Applicants believe that a detailed discussion of the secondary references is not necessary for a full and complete response to this Office Action.

CONCLUSION

Thus, Applicants submits that the claims are in condition for allowance. Accordingly, both reconsideration of this application and its swift passage to issue are earnestly solicited.

If, however, the Examiner believes that there are any unresolved issues requiring adverse final action in any of the claims now pending in the application, it is requested that the Examiner telephone Eamon J. Wall at (732) 530-9404 so that appropriate arrangements can be made for resolving such issues as expeditiously as possible.

Respectfully submitted,

10/2/06

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